

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Claims 1, 4-7, 9-13, 15-18, 20-24, 26, 28-29, 37-38 and 41 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Shavit et al. in view of Slaughter et al. This contention, however, is respectfully traversed and for reasons set forth herein, the hypothetical combination does not meet the patent office's burden of providing a prima facie showing of unpatentability.

Claim 1 requires discovering information about an accessibility state of at least one communication channel using a bridged connection that includes a bridging device and a recipient device. The rejection states that Shavit et al. teaches a basic system of finding accessibility states of various users, but admits that Shavit et al. does not show a bridging device as claimed. The rejection attempts to combine Slaughter et al. with Shavit et al.

Applicants believe that the hypothetical combination of Shavit et al. in view of Slaughter et al. is improper for reasons set forth herein. However, even assuming for purposes of argument that the hypothetical combination would be in fact proper, the subject matter of the claims still would not be

obtained. Slaughter et al. does admittedly teach a bridging mechanism for wrapping device discovery protocols (see, generally, column 75 beginning around line 43 through column 76 around line 53). Slaughter et al. discloses that the discovery agents can be used to find clients or devices (see, generally column 76 lines 29-42). However, once the device is found, the client accesses the device "using the service advertisements... to instantiate services on one of the agents 1204". As explained in column 76, the client sees only the advertised service, and may not even be aware that they are extending outside the space. The claims operate in a very different way.

More specifically, Claim 1 defines routing a message "addressed to the least one bridging device to the message recipient via the at least one bridging device". As explained above, Slaughter et al. is a very different kind of system, and would never teach or suggest this feature. Slaughter et al. teaches finding external services, and then communicating with the services. However, there would never be a message that is addressed to the bridging device that is intended for the message recipient. All of the messages would be directed where they are addressed, not to the bridging device, as claimed.

Moreover, with all due respect, the hypothetical combination of Shavit et al. in view of Slaughter et al. is improper. Shavit et al. teaches how to route a message to a

message recipient. Slaughter et al., on the other hand, teaches how to find services in a distributed computing environment. The two have entirely different features, and one having ordinary skill in the art would not be motivated to combine them.

Moreover, the bridging device defined by Claim 1 produces advantages which would not be contemplated by one having of ordinary skill in the art reviewing Shavit et al. By bridging, the investigation can get information from areas that it could not otherwise view. Such was not contemplated by Shavit et al. Moreover, while Slaughter et al. contemplated bridging, it did so in the context of discovering computer services, not in the context of delivering messages to a recipient. While admittedly discovery of computer services includes passing messages such as XML messages back and forth, there is never really any concept of delivering a message to a specific recipient. The term "specific" has been added to Claim 1 in order to emphasize these patentable distinctions.

Claims like Claim 9 are even further patentable over the cited prior art, as they define routing the message by choosing communication channels to determine if "the message is likely to reach the message recipient...". Claim 9 also defines a "level of obtrusiveness" which is nowhere taught or suggested by the hypothetical combination of references. The discovery of

services mechanism disclosed in Slaughter et al. teaches nothing about likelihood of the message reaching the recipient, or a level of the obtrusiveness. Claim 12 should be even further allowable, as it defines a unique identifier identifying the message recipient, which is nowhere taught or suggested by the cited prior art.

The remaining claims should be allowable over the prior art for analogous reasons. Initially, Claim 13 was rejected as not defining the medium or propagated signal. In response, Claim 13 has been amended to recite the medium. Claim 13 should be allowable for analogous reasons to those discussed above.

Claims 24, 37 and 40 have been amended in similar ways, and should be analogously allowable. Claim 40 should be additionally allowable since it defines a device Independent identifier that uniquely identifies the specific message recipient. This is completely nonsensical in the context of the discovery of services carried out by the secondary reference Slaughter et al. Slaughter et al. teaches nothing about this, nor anything about which would lead one having ordinary skill in the art to a technique to find such a device.

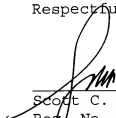
It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition,

because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. Please apply the \$100 extra claim fee, and any other applicable charges or credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 12, 2006



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